

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

In Re: Complaint of Access Integrated)
Network, Inc. Against BellSouth)
Telecommunications, Inc.)
Complaint of XO Tennessee, Inc.)
Against BellSouth Telecommunications,)
Inc.)

*02 APR 1 PM 12 56

Docket No. 01-00868
OFFICE OF THE
EXECUTIVE SECRETARY

MOTION TO SUBMIT SUPPLEMENTAL AUTHORITY

The Complainants and Intervenors¹ submit the attached supplemental authority to the Hearing Officer in the above-captioned proceeding.

On March 21, 2002, the Washington Utilities and Transportation Commission issued the attached Order approving a settlement between the Commission Staff and Quest Corporation, the regional Bell carrier in that state. As described in the Order, the Staff discovered that Quest had offered and provided to a customer non-tariffed "service credits" as part of a "Customer Loyalty Program." In the Order, the agency specifically found that the failure to file these credits with the Commission violated both RCW 80.36.170, which prohibits "any undue or unreasonable preference," and RCW 80.36.180, which prohibits rebates, as well as state tariffing requirements. Copies of the anti-rebate statute and anti-preference statute, both of which are similar to the comparable, Tennessee statutes, are attached.²

Because of the similarity of the Washington case to the above-captioned proceeding, the Complainants and Intervenors move to submit this information as supplemental authority in

¹ The Complainants and Intervenors are XO Tennessee, Inc., Access Integrated Network, Inc. and ITC^DeltaCom.

² As further background concerning the Washington case, attached also is a copy of the Staff's amended complaint against Quest and an article from "Telecommunications Reports" describing the case.

support of the position that a non-tariffed refund or credit offered in exchange for the purchase of regulated telephone services constitutes both an illegal rebate and an illegal preference.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

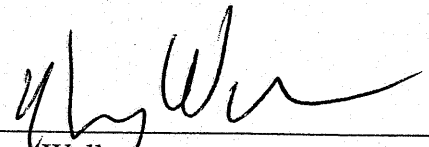
By: 

Henry Walker
414 Union Street, Suite 1600
P.O. Box 198062
Nashville, Tennessee 37219
(615) 252-2363

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via fax or hand delivery and U.S. mail to the following on this the 1 day of April, 2001.

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
333 Commerce St., Suite 2101
Nashville, TN 37201-3300



Henry Walker

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	DOCKET NO. UT-011329
)	
Complainant,)	
)	
v.	)	FIFTH SUPPLEMENTAL ORDER
	)	APPROVING AND ADOPTING
QWEST CORPORATION,	)	SETTLEMENT AGREEMENT
)	
Respondent.)	
.....)	

I. SYNOPSIS

1 This Order resolves a complaint brought by the Washington Utilities and Transportation Commission (Commission) through its Staff against Qwest Corporation (Qwest). The complaint alleges that Qwest's Centrex Customer Loyalty Program (CCLP) violated certain statutes and Commission rules. The Commission approves and adopts the Settlement Agreement reached by Commission Staff and Qwest. In doing so, the Commission penalizes Qwest \$150,000 because it failed to file an amendment to a customer's contract that gave the customer service credits under Qwest's unpublished CCLP.

II. MEMORANDUM

2 **Parties.** Shannon E. Smith, Assistant Attorney General, represents the staff of the Washington Utilities and Transportation Commission (Commission Staff). Lisa Anderl and Adam Sherr, attorneys, Seattle, represent Qwest. Robert Cromwell, Assistant Attorney General, represents Public Counsel. David Rice, attorney, Miller Nash LLP, Seattle, represents MetroNet Services Corporation (MetroNet).

3 **Procedural History.** On September 27, 2001, the Commission filed a complaint against Qwest alleging violations of certain statutes and Commission rules in connection with Qwest's Centrex Customer Loyalty Program (CCLP). Among other things, the complaint alleges that Qwest developed the CCLP before or during October 1999 to provide certain customers of Qwest's Centrex Prime, Centrex Plus, Centron, and Centron XL (Centrex) services with a service credit. Qwest initiated the CCLP to retain customers who were large users of Centrex service. Qwest provided the service credit to at least one Washington customer. Qwest gave the CCLP credit retroactive to January 1999, and during all or a portion of years 2000 and 2001.

4 The Commission convened a prehearing conference on October 22, 2001 before Administrative Law Judge (ALJ) Karen M. Caillé. Among other things, the Commission established a procedural schedule, invoked the discovery rule (WAC 480-09-480), and entered a Protective Order (December 18, 2001). In addition, pursuant to Staff's request and Qwest's stipulation, the Commission admitted into the record as Exhibit 1 and Exhibit 1-C an exhibit designated as Exhibit 511C in Dockets UT-003022/003040 (SGAT/271). Exhibit 511C is Qwest's response to Record Request #4 in the SGAT/271 proceeding, and provides information about the CCLP.

5 **Settlement Agreement:** On January 25, 2002, prior to the filing of any testimony in this proceeding, Qwest and Commission Staff filed a proposed Settlement Agreement that would resolve all contested issues raised by the complaint. On March 5, 2002, the Commission convened a hearing before Chairwoman Marilyn Showalter, Commissioner Richard Hemstad, Commissioner Patrick Oshie, and ALJ Karen M. Caillé. The Commission heard testimony from a two witnesses representing Commission Staff and Qwest.

6 The testimony establishes that during the SGAT/271 proceeding while reviewing Qwest responses to data requests, Commission Staff discovered apparent violations of the Commission rules and Washington statutes in connection with Qwest's CCLP. The Commission filed this complaint and ordered a complete investigation into the allegations in the complaint. The investigation revealed that Qwest offered and provided to the State Department of Information Services (DIS), unpublished service credits under the CCLP. Qwest acknowledges that the offer made to DIS should have been filed with the Commission as an amendment to its contract with DIS. Qwest represents that the occurrence was a singular incident, unknown to the policy and law division until it was revealed in discovery in the SGAT/271 proceeding. Qwest subsequently filed the amendment with the Commission on June 6, 2001. Exhibit 1 and Exhibit 1-C contain information about Qwest's CCLP.

7 Under the terms and conditions of the Settlement Agreement, admitted into the record as Exhibit 2 and attached to this Order as Appendix A, if approved by the Commission:

- Qwest will comply with all Commission rules and Washington statutes.
- Qwest will dismiss any employee who willfully violates Commission rules and Washington statutes.
- Qwest will discipline or dismiss any remaining employee who made a decision to intentionally not file the Customer Loyalty Program contract provision.
- Qwest will make a company-wide announcement that discloses the allegations in this complaint, the Commission's finding that the company violated the law, and

the Commission's fine of \$100,000 for Qwest's provision of a discount without filing its terms with the Commission. The announcement will specify that the complaint alleged an *intentional* failure to file, that such conduct is not acceptable to Qwest and is a violation of company policy, that the responsible employees no longer work for Qwest, and that any such conduct in the future will result in appropriate disciplinary action, including dismissal.

- Qwest will require the business unit officer responsible for this service to specifically disclose the behavior associated with this complaint to all his or her employees, and to reinforce the message described above.
- The Commission will find that Qwest violated *RCW 80.36.150*, *RCW 80.36.170*, *RCW 80.36.180*, and *WAC 480-80-330*. The violations of *RCW 80.36.170* and *80.36.180* are the result of Qwest's failure to file the amendment to the contract.
- The Commission will impose a total penalty against Qwest of \$150,000, for violation of *RCW 80.36.150*, *RCW 80.36.170*, *RCW 80.36.180*, and *WAC 480-80-330*. Of the \$150,000 penalty amount, \$100,000 would be ordered due and payable 15 days after the Commission issues its order. The remaining \$50,000 penalty amount would be suspended for one year and mitigated to zero at that time if:
 - Qwest certifies that its offering and provision of Centrex services is and has been during the previous year in compliance with the statutes and rules that are the subject of this proceeding, and
 - Staff has made no other allegations of violations relating to Qwest's Centrex services.

8 Commission Staff and Qwest ask the Commission to approve the Settlement Agreement. Public Counsel and MetroNet do not oppose the Settlement Agreement.

III. DISCUSSION AND DECISION

9 Based on our review of the Settlement Agreement and the record developed in this proceeding, we find that the issues are adequately addressed and resolved by the terms of the Settlement Agreement. We find that the Settlement Agreement is consistent with the public interest, and that it should be approved and adopted as a full and final resolution of all the issues pending in Docket No. UT-011329.

10 In accepting and adopting this settlement, the Commission finds that the result is consistent with the public interest and that it saves time, effort and expense for the Commission, the company, and the intervenors. Acceptance of the settlement, however, is done without the detailed examination and the close study of partisan arguments on contested issues that produces informed decisions on each litigated issue. The

Commission therefore observes, consistent with similar observations in other proceedings, that this Order does not constitute a ruling on any underlying issue that might have been litigated.

- 11 Accordingly, the Commission accepts and adopts the Settlement Agreement as its resolution of the issues in this proceeding.

IV. FINDINGS OF FACT

- 12 Having discussed above all matters material to our decision, and having stated our findings and conclusions, the Commission now makes the following summary findings of fact. Those portions of the preceding discussion that include findings pertaining to the ultimate decisions of the Commission are incorporated by this reference.

- 13 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington, vested by statute with authority to regulate rates, rules, regulations, practices, and accounts of public service companies, including telecommunication companies.
- 14 (2) Qwest Corporation is registered as a telecommunications company providing service within the state of Washington as a public service company.
- 15 (3) On January 25, 2002, Commission Staff and Quest filed a Settlement Agreement with the Commission requesting approval of the Agreement.

V. CONCLUSIONS OF LAW

- 16 Having discussed above in detail all matters material to our decision, and having stated general findings and conclusions, the Commission now makes the following summary conclusions of law. Those portions of the preceding detailed discussion that state conclusions pertaining to the ultimate decisions of the Commission are incorporated by this reference.
- 17 (1) The Washington Utilities and Transportation Commission has jurisdiction over the subject matter of, and all parties to, these proceedings. *RCW 80.01.040.*
- 18 (2) Qwest Corporation is a public service company as defined in *RCW 80.04.010.*
- 19 (3) The Settlement Agreement as contained in Appendix A fully and fairly resolves the issues in dispute in this proceeding and is consistent with the public interest. *RCW 80.01.040.*

- 20 (4) The Commission should retain jurisdiction over the subject matter of and the parties to this proceeding to effectuate the provisions of this Order.

VI. ORDER

THE COMMISSION ORDERS That:

- 21 (1) The Washington Utilities and Transportation Commission has jurisdiction over the subject matter of and the parties to these proceedings;
- 22 (2) The Settlement Agreement (Appendix A to this Order) is approved, adopted, and made part of this Order;
- 23 (3) The complaint in this matter is hereby dismissed without prejudice and this docket is closed.

24 THE COMMISSION ORDERS FURTHER That it retains jurisdiction over the subject matter and the Parties to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective this _____ day of March, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner

NOTICE TO PARTIES: This is a final Order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this Order pursuant to RCW 34.05.470 and WAC 480-09-810, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-09-820(1).

RCW 80.36.170

Unreasonable preference prohibited.

No telecommunications company shall make or give any undue or unreasonable preference or advantage to any person, corporation or locality, or subject any particular person, corporation or locality to any undue or unreasonable prejudice or disadvantage in any respect whatsoever. The commission shall have primary jurisdiction to determine whether any rate, regulation, or practice of a telecommunications company violates this section. This section shall not apply to contracts offered by a telecommunications company classified as competitive or to contracts for services classified as competitive under RCW 80.36.320 and 80.36.330.

[1989 c 101 § 4; 1985 c 450 § 31; 1961 c 14 § 80.36.170. Prior: 1911 c 117 § 42; § 10378.]

RCW 80.36.180**Rate discrimination prohibited.**

No telecommunications company shall, directly or indirectly, or by any special rate, rebate, drawback or other device or method, unduly or unreasonably charge, demand, collect or receive from any person or corporation a greater or less compensation for any service rendered or to be rendered with respect to communication by telecommunications or in connection therewith, except as authorized in this title or Title 81 RCW than it charges, demands, collects or receives from any other person or corporation for doing a like and contemporaneous service with respect to communication by telecommunications under the same or substantially the same circumstances and conditions. The commission shall have primary jurisdiction to determine whether any rate, regulation, or practice of a telecommunications company violates this section. This section shall not apply to contracts offered by a telecommunications company classified as competitive or to contracts for services classified as competitive under RCW 80.36.320 or 80.36.330.

[1989 c 101 § 5; 1985 c 450 § 32; 1961 c 14 § 80.36.180. Prior: 1911 c 117 § 41; § 10377.]

;;;



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Online Document

▼ General Info

Document Name: 2001/12/18 - UTC says Qwest Centrex discount violates law - TR's State NewsWire

Description: The Utilities and Transportation Commission has amended a complaint against Qwest Corp., which alleged that the telco violated state law when it provided "secret" rebates on its Centrex service.

▼ Body

TR's State NewsWire for December 18, 2001

WASHINGTON -- UTC says Qwest Centrex discount violates law

The Utilities and Transportation Commission has amended a complaint against Qwest Corp., which alleged that the telco violated state law when it provided "secret" rebates on its Centrex service. The initial complaint, which was filed in October, alleged that Qwest had committed 310,000 violations; the amended complaint raises that number to 887,000. A UTC staff member explained that the number of violations represents the number of lines that received the discount, multiplied by the number of months the discount was provided.

According to the complaint, Qwest developed a Centrex Customer Loyalty Program (CCLP) before or during October 1999 that provided certain Centrex customers service credits. Qwest initiated the program to retain customers who were large users of the Centrex service, the complaint said.

The complaint added that Qwest violated state laws by failing to file a contract with the UTC reflecting the service credit or the actual charge customers were paying under the program. In addition, the complaint said, Qwest violated the law by failing to file a tariff revision to offer the program, nor did it notify customers of the availability or applicability of the program. The complaint asserted that Qwest "configured and operated its billing system so as to avoid the appearance on any customer's bill of an identified CCLP credit." (Docket **UT-011329**)

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,	)	DOCKET NO. UT-011329
)	
Complainant,)	
	)	COMMISSION STAFF'S
v.	)	MOTION TO AMEND
	)	COMPLAINT
QWEST CORPORATION,)	
)	
Respondent.)	
.....)	

1 The Washington Utilities and Transportation Commission Staff (Commission Staff)¹
moves to amend the complaint as follows:

I. GROUNDS FOR MOTION TO AMEND COMPLAINT

2 The Commission filed a complaint against Qwest on September 27, 2001. In that
complaint, the Commission alleged that Qwest violated RCW 80.36.130 at least 310,000 times.

3 On October 22, 2001 the Commission convened a prehearing conference before
Administrative Law Judge Karen Caillé. At the prehearing conference, Judge Caillé invoked the
discovery rule, WAC 480-120-480.

4 The Commission Staff propounded data requests to Qwest. Qwest's answers to the data
requests suggests that Qwest violated RCW 80.36.180 at least 887,000 times. This additional
information was not available at the time the Commission filed the original complaint.

5 It is in the public interest to amend the complaint as requested by the Commission Staff.
The complaint should accurately reflect number of Qwest's alleged violations of Title 80 RCW.

¹ While this motion is brought by the Commission Staff, it may be more appropriate for the Commission to
amend the complaint on its own motion based on the Commission Staff's recommendation as set forth in this
pleading.

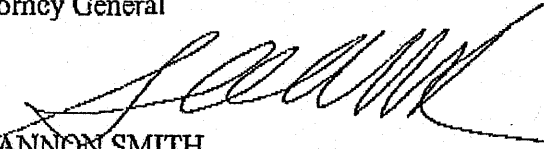
- 6 In addition, Qwest is not prejudiced by the amended complaint. The information from which Staff believes the number of violations is at least 887,000 rather than 310,000 was provided by Qwest.

II. RELIEF REQUESTED

- 7 The Commission Staff requests that the Commission issued the attached First Amended Complaint in this docket. The only substantive change to the complaint is the change in the number of alleged violations of RCW 80.36.130 from at least 310,000 to 887,000.

Respectfully submitted, December 18, 2001,

CHRISTINE O. GREGOIRE
Attorney General



SHANNON SMITH
Assistant Attorney General
Counsel for Commission Staff

COMMISSION STAFF'S
MOTION TO AMEND COMPLAINT - 2

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,	)	DOCKET NO. UT-011329
)	
Complainant,)	
	)	FIRST AMENDED
v.	)	COMPLAINT
)	
QWEST CORPORATION,)	
)	
Respondent.)	
.....)	

1 The Washington Utilities and Transportation Commission (Commission), alleges as follows:

I. PARTIES

- 2 The Commission is an agency of the State of Washington, authorized by state law to regulate the rates, practices, accounts, and services of public service companies, including telecommunications companies, under the provisions of Title 80 RCW.
- 3 Respondent Qwest Corporation (Qwest) is a telecommunications company subject to regulation by the Commission pursuant to RCW 80.01.040(3).
- 4 Intervener MetroNet Services Corporation (MetroNet) is a telecommunications company.

II. JURISDICTION

- 5 The Commission has jurisdiction over this matter pursuant to RCW 80.01.040, RCW 80.04.110, RCW 80.36.100, RCW 80.36.130, RCW 80.36.140, RCW 80.36.150, RCW 80.36.170, RCW 80.36.180, RCW 80.36.186, and WAC 480-80-330.

III. PROCEDURAL HISTORY

- 6 The Commission filed a complaint against Qwest on September 27, 2001. On October 22, 2001 the Commission convened a prehearing conference before Administrative Law Judge Karen Caillé.
- 7 Judge Caillé issued the First Supplemental Order, Prehearing Conference Order on December 14, 2001.

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IV. FACTUAL ALLEGATIONS

- 8 Qwest is a telecommunications company authorized to provide telecommunications service in the State of Washington.
- 9 Qwest is subject to regulation under the provisions of Title 80 RCW.
- 10 Before or during October 1999, Qwest developed a Centrex Customer Loyalty Program (CCLP) under which certain customers of Qwest's Centrex Prime, Centrex Plus, Centron, and Centron XL (Centrex) services would receive a service credit.
- 11 Qwest initiated the CCLP to retain customers who were large users of Centrex service.
- 12 Qwest provided the service credit to at least one Washington customer.
- 13 Although Qwest initiated the CCLP in October of 1999, the company provided the CCLP credit retroactive to January 1999.
- 14 Qwest provided the CCLP credit during all or a portion of years 2000 and 2001.
- 15 Qwest failed to file a contract with the Commission that reflected either the service credit or the actual charge the customer paid under the CCLP.
- 16 Qwest did not file a tariff revision to offer or provide the CCLP.
- 17 Qwest did not provide written notice to customers of the availability, applicability, or other provisions of the CCLP.
- 18 Qwest configured and operated its billing system so as to avoid the appearance on any customer's bill of an identified CCLP credit.
- 19 Centrex Prime, Centrex Plus, Centron and Centron XL are telecommunications services provided by Qwest that, with the exception of associated feature packages, have not been competitively classified by the Commission.

**V. FIRST CLAIM FOR RELIEF
(Violation of RCW 80.36.100)**

- 20 The Commission, through its Staff, realleges the allegations contained in paragraphs 2-17 above.
- 21 RCW 80.36.100 requires telecommunications companies to file tariffs setting forth the rates, terms, and conditions of all regulated services they provide in the state of Washington.

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- 22 Qwest violated RCW 80.36.100 by not filing a tariff covering its CCLP when the company provided service under the CCLP to at least one customer in Washington.

VI. SECOND CAUSE OF ACTION
(Violation of RCW 80.36.130)

- 23 The Commission, through its Staff, realleges the allegations contained in paragraphs 2-17 above.
- 24 RCW 80.36.130 prohibits telecommunications companies from charging a different rate for a service than the rate set forth in the company's tariff. RCW 80.36.130 also prohibits telecommunications companies from refunding or remitting, directly or indirectly, any portion of the tariffed rate of a service. RCW 80.36.130 also prohibits telecommunications companies from extending a contract or agreement to any customer that is different from that set forth in its tariff and extended to all customers under similar circumstances. RCW 80.36.130 also prohibits a telecommunications company from giving customers free or reduced service, unless provided to the company's employees or charitable organizations.
- 25 Qwest violated RCW 80.36.130 by charging a rate for Centrex service that was different from its tariffed rate; by providing refunds or service credits to at least one Washington customer under the CCLP; by entering into an agreement for the price of a service that was different than the tariffed rate for that service and not extended to all similarly situated customers; and/or by providing a service at a reduced price to at least one Washington customer under the CCLP.
- 26 The number of violations of RCW 80.36.130 by Qwest is at least 887,000

VII. THIRD CAUSE OF ACTION
(Violation of RCW 80.36.150)

- 27 The Commission, through its Staff, realleges the allegations contained in paragraphs 2-17 above.
- 28 RCW 80.36.150 requires telecommunications companies to file agreements, arrangements, or contracts for services with the Commission. RCW 80.36.150 requires that contracts for noncompetitive services, like Centrex, be in the public interest. RCW 80.36.150 requires telecommunications companies providing noncompetitive services through contracts to make those services available to all purchasers under the same or substantially the same circumstances under the same rate, terms, and conditions set forth in the contract.
- 29 Qwest violated RCW 80.36.150 by failing to file the CCLP agreement with the Commission; by failing to demonstrate that the CCLP is in the public interest; and/or by failing to make the rates, terms, and conditions of the CCLP available to those customers similarly situated to the customers receiving the benefits of the CCLP.

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VIII. FOURTH CAUSE OF ACTION
(Violation of RCW 80.36.170)

- 30 The Commission, through its staff, realleges the allegations contained in paragraphs 2-17 above.
- 31 RCW 80.36.170 prohibits a telecommunications company from making or giving an undue or unreasonable preference or advantage to any customer or by subjecting any customer to undue or unreasonable prejudice or disadvantage whatsoever.
- 32 Qwest committed numerous violations of RCW 80.36.170 by giving CCLP customers an undue or unreasonable preference or advantage in the pricing of Centrex service while subjecting those customers who purchased that service from the tariff or under a lawfully filed contract to undue or unreasonable prejudice or disadvantage.

IX. FIFTH CAUSE OF ACTION
(Violation of RCW 80.36.180)

- 33 The Commission, through its Staff, realleges the allegations contained in paragraphs 2-17 above.
- 34 RCW 80.36.180 prohibits a telecommunications company from engaging in rate discrimination, either by special rates or rebates provided by the company to one customer or class of customers that it does not provide to all other similarly situated customers.
- 35 Qwest committed numerous violations of RCW 80.36.180 by providing service credits or refunds under the CCLP to at least one Washington customer and not to all other similarly situated customers, thereby discriminating against those customers who were not offered the CCLP.

X. SIXTH CAUSE OF ACTION
(Violation of WAC 480-80-330)

- 36 The Commission, through its Staff, realleges the allegations contained in paragraphs 2-17 above.
- 37 WAC 480-80-330 requires contracts for telecommunications services to be filed with the Commission. Such contracts must set forth the reasons the contract rate deviates from the rates set forth in the tariff, explain the cost computations involved in determining the contract rate, indicate why a contract is used rather than the tariff for the service involved, and state the time period of the contract.
- 38 Qwest violated WAC 480-80-330 by failing to file the CCLP contract, agreement, or arrangement with the Commission.

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39 THEREFORE, the Commission enters into a full and complete investigation into the
matters alleged and will commence an adjudicative proceeding pursuant to chapter 34.05
RCW and chapter 480-09 WAC for the following purposes:

- 40 (1) To determine whether Qwest has violated the statutes set forth in the allegations above;
- 41 (2) To determine whether the Commission should impose penalties against Qwest in an
amount to be proved at hearing; and
- 42 (3) To make such other determinations and enter such orders as may be just and
reasonable.

DATED at Olympia, Washington, and effective this day of December, 2001

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

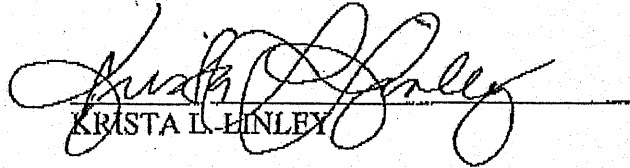
RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner

UF-011329
CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Commission Staff's Motion to Amend Complaint and a proposed First Amended Complaint upon the persons and entities listed on the Service List below by depositing a copy of said document in the United States mail, addressed as shown on said Service List, with first class postage prepaid.

DATED at Olympia, Washington this 18th day of December, 2001.


KRISTA L. LINLEY

Lisa A. Anderl
Qwest Corporation
1600 7th Avenue, Room 3206
Seattle, Washington 98191

Robert Cromwell
Office of the Attorney General
Public Counsel Section
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CERTIFICATE OF SERVICE - 1